

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF FLORIDA**

Civil Action No. 1:21-cv-22445-KMM-LFL

DONALD J. TRUMP, the Forty-Fifth President of the
United States, KELLY VICTORY, AUSTEN
FLETCHER, AMERICAN CONSERVATIVE
UNION, ANDREW BAGGIANI, MARYSE
VERONICA JEAN-LOUIS, NAOMI WOLF AND
FRANK VALENTINE, INDIVIDUALLY AND ON
BEHALF OF THOSE SIMILARLY SITUATED,

Plaintiffs,

v.

YOUTUBE, LLC and SUNDAR PICHAI

Defendants.

DECLARATION OF COREY LEWANDOWSKI

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I, Corey R. Lewandowski, declare that the matters stated herein are true and correct and based upon my own personal knowledge, and if called to testify I would state as follows:

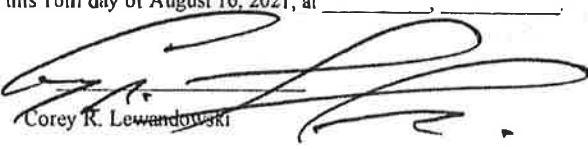
1. I have been a manager for political campaigns for approximately twenty-five (25) years.
2. During this time, I have been involved with hundreds political campaigns, at the local, state, and national levels.
3. The campaigns I have managed involved the coordination of communications between my candidate(s) and the general electorate via television, radio, print, and the Internet.
4. I have managed, or been involved in, political campaigns whose combined budgets exceeded five hundred (500) million dollars.
5. Some Campaign expenditures were paid for as a result of fundraising efforts I oversaw.
6. I have seen the rapid growth in the importance of communicating the views, policies, and campaign content of candidates through social media platforms.
7. The first campaign that I managed was at the local level, the total expenditures for Internet related advertising for my candidate was less than approximately ten (10) dollars.
8. Twenty-five years later, when I was the manager of President Trump's 2016 primary presidential campaign, the total expenditures on social media advertising exceeded fifty (50) million dollars.
9. Today's political reality is that maintaining a presence on social media, with campaign related sites on these platforms, has become an essential element of any successful political campaign.
10. Any aspirant for elected office, at any level of government, needs to establish a presence on social media, and in particular on the three main platforms: YouTube, Twitter, and Facebook. (Commonly referred to as "Big Tech")
11. These social media platforms are an essential source of knowledge of current affairs for the general public and frequently constitute the primary source of information for the general electorate on political issues and candidates.
12. Today's voters looking to educate themselves on a political candidate's views would very likely visit one of the above social media platforms.
13. Any voter who is unable to locate a candidate on any social media sites they subscribe to would likely conclude that the candidate might not be a serious candidate for office.
14. In my campaign experience, I have learned that voters viewing a candidate's profile on YouTube, Twitter, and Facebook, will expect to find references to a candidate's view on issues, personal background, and endorsements.
15. Research and polling have found that these three categories – political positions, personal history, and endorsements – are quite possibly the three most important criteria in determining a candidate's viability.
16. During my career, I have seen the power of political views and content of YouTube, Twitter, and Facebook fundamentally alter the entire landscape of political campaigns for candidates and voters.
17. Previously, expensive advertising campaigns in the mainstream media were used to convey a candidate's messages to voters. However, social media platforms now offer a free and passive means of public discourse where candidates can convey their views to those who visit the candidate's site on the platform.
18. The power of this transformation in messaging in the Internet age can be seen in the remarkable, successful effect President Trump had in numerous political campaigns across the country.

19. In Republican Party primary races across a gambit of state and federal offices, endorsements from President Trump, relayed to potential voters through his own use of YouTube, Twitter, and Facebook and their endorsed candidate's promotion of the president's endorsement through the same platforms, frequently saw dramatic, positive increases in that candidate's polling numbers in each of the following races:
- a. 2018 – Florida Governor's Race
 - b. 2020 – New Hampshire US Senate Race
 - c. 2020 Tennessee US Senate Race
 - d. 2020 Texas 13th Congressional District
 - e. 2021 – Ohio 15th Congressional District
20. President Trump is the unquestioned leader of the Republican Party and continues to be one of the most influential figures in current American politics.
21. His inability to engage with YouTube, Twitter, and Facebook has significantly impacted political discourse in the United States.
22. Regardless of a voter's affinity for the views of President Trump, American voters wants to know if President Trump does, or does not, endorse a candidate.
23. The efforts by YouTube, Twitter, and Facebook to eliminate any reference to the views and content of President Trump from their platforms creates a significant, and negative, impact on political debate in the United States.
24. The value of an endorsement from President Trump can confidently be measured as being worth hundreds of thousands – even millions – of dollars' worth of conventional mainstream media advertising expenditures.
25. President Trump has been de-platformed from his Facebook, YouTube and Twitter accounts since January 2021, and does not have the ability to create new accounts on these platforms.
26. President Trump cannot post new content or messages to his followers/viewers on his old account, nor can his former followers/viewers post comments or talk to each other.
27. It is my opinion that President Trump's continued absence from YouTube, Twitter, and Facebook constitutes a prior restraint in the vitality of the "marketplace of ideas" in American politics. Social media has placed "its finger on the scale" for voters who need to weigh the views and content of President Trump in making decisions on Congressional candidates in 2022, and the presidential election in 2024.

I declare under penalty of perjury, under the laws of the state New Hampshire _____, that the foregoing is true and correct.

Date this 16th day of August 16, 2021, at _____.

By:


Corey R. Lewandowski